

REMARKS

Claims 1-12 are currently pending in the present application. In an Office Action dated May 6, 2003, claims 1, 2, 4, 5, 7, 10, and 12 were rejected and claims 3, 6, 8, 9, and 11 were objected to. In the present response, Applicants amend claims 1 and 10 and traverse the rejections as follows.

Rejections under 35 U.S.C. 112

Claims 10 and 11 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, because the term "said identification code" in lines 1-2 of claim 10 lacked antecedent basis. Applicants have amended claim 10 to overcome this rejection.

Rejections under 35 U.S.C. 102(e)

Claims 1, 2, 4, 5, 7, and 12 were rejected under 35 U.S.C. 102(e) as being anticipated by Hardy (U.S. 6,356,638). It was alleged that Hardy teaches all of Applicants' claim limitations. Applicants respectfully disagree.

Hardy teaches a system for providing secure and un-secure communications between a digital subscriber unit 220 and an analog terminal 232 via a wireline interface 200. Secure communications may be carried out end-to-end or between the digital subscriber unit 220 and wireline interface 200. Hardy also allegedly discusses the establishment of an unsecure voice communication followed by secure voice or data. However, Hardy does not disclose the way in which Applicants transition service options.

Hardy teaches transitioning between an un-secure communication and a secure communication by either party requesting secure communications by pressing a key on their respective communication devices, such as by pressing "*1". From Hardy:

“In the preferred embodiment of the present invention, either the called party in the PSTN or the party operating the digital subscriber unit in the digital communication network may request secure voice communication. In the case of a standard telephone, a predetermined dialed code, for example, such as “*1” may be used to indicate to the wireline interface, that the parties wish to communicate secure voice.... In one embodiment of the present invention, where task 104 establishes an encrypted digital link between the subscriber unit and the wireline interface, the wireline interface may receive an encrypted network number from the digital subscriber unit. In this embodiment, wireline interface performs the steps of decrypting the received PSTN number, converting the network number from digital to corresponding DTMF tones and providing the corresponding tones to the analog network to establish the connection through the analog network to the called party.” (*Hardy, column 6, lines 46-65*)

While Hardy is clear that a secure voice communication may be requested by pressing “*1”, it is not clear exactly how the transition takes place, or even if two parties are currently engaged in un-secured communications when the request to initiate a secure communication is generated. Hardy does not disclose details on what actions take place within the wireline interface to transition to secure communications. However, it is clear that Hardy does not teach the relevant features of Applicants’ claims, as amended, namely *terminating* a first communication and for automatically *initiating a second communication* using a second identification code corresponding to the same called party.

Applicants further believe that all other claims, being dependent on what Applicant believes to be allowable claims, are likewise allowable. Therefore, Applicants respectfully request that the rejections under 35 U.S.C. 102(e) be withdrawn.

CONCLUSION

All of the claim rejections have been traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that all current rejections and objections be withdrawn, and that all present claims be allowed. Applicant believes that a complete response has been made to the outstanding office action. If the examiner believes that a personal communication is needed to resolve any outstanding issues, the examiner is invited to call the attorney at the telephone number provided below.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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